

12/12/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12107

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 03/24/1891

POINT OF
DIVERSION:

T15N R21E S27 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.800 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T15N R21E S16 SWSE 11.00	T15N R21E S21 NWNE	13.00
	24 ACRES TOTAL		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 73-92A.

Source is locally known as Spring Creek.

01/12/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12107

NAME AND ADDRESS: THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID 83333-8411

THE NATURE CONSERVANCY
WESTERN RESOURCE OFFICE
2424 SPRUCE ST STE 100
BOULDER CO 80302-4617

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 03/24/1891

POINT OF DIVERSION:

T15N R21E S27 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S16	SWSE	11.00	T15N R21E S21	NWNE	13.00
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24 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 73-92A.

Source is locally known as Spring Creek.

Idaho Department of Water Resources



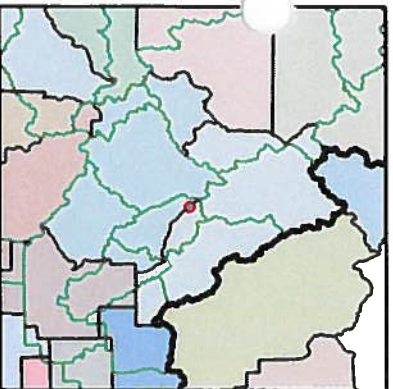
SRBA Recommendation:

73-12107

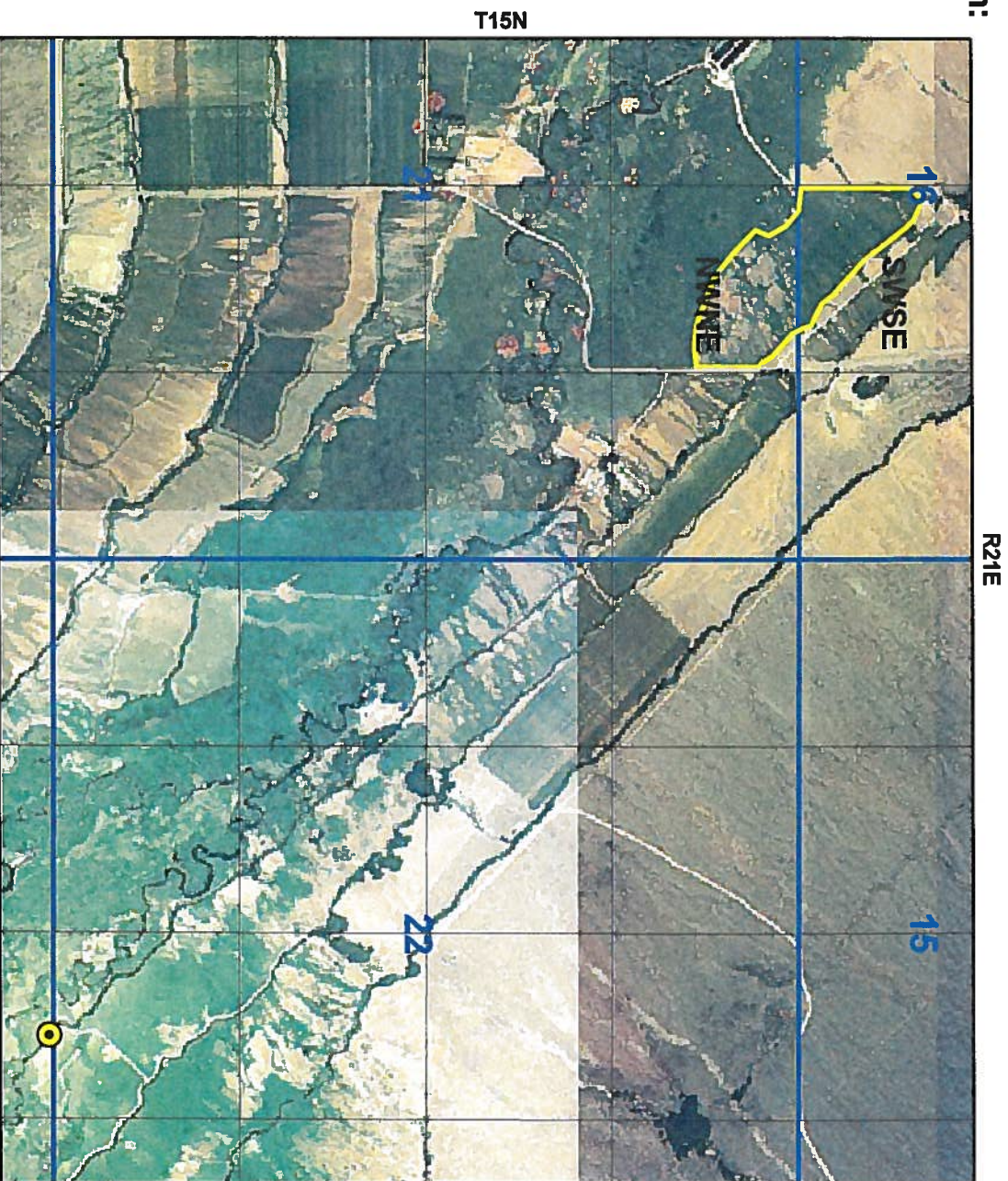
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS. Sections
-  Quarter Quarters

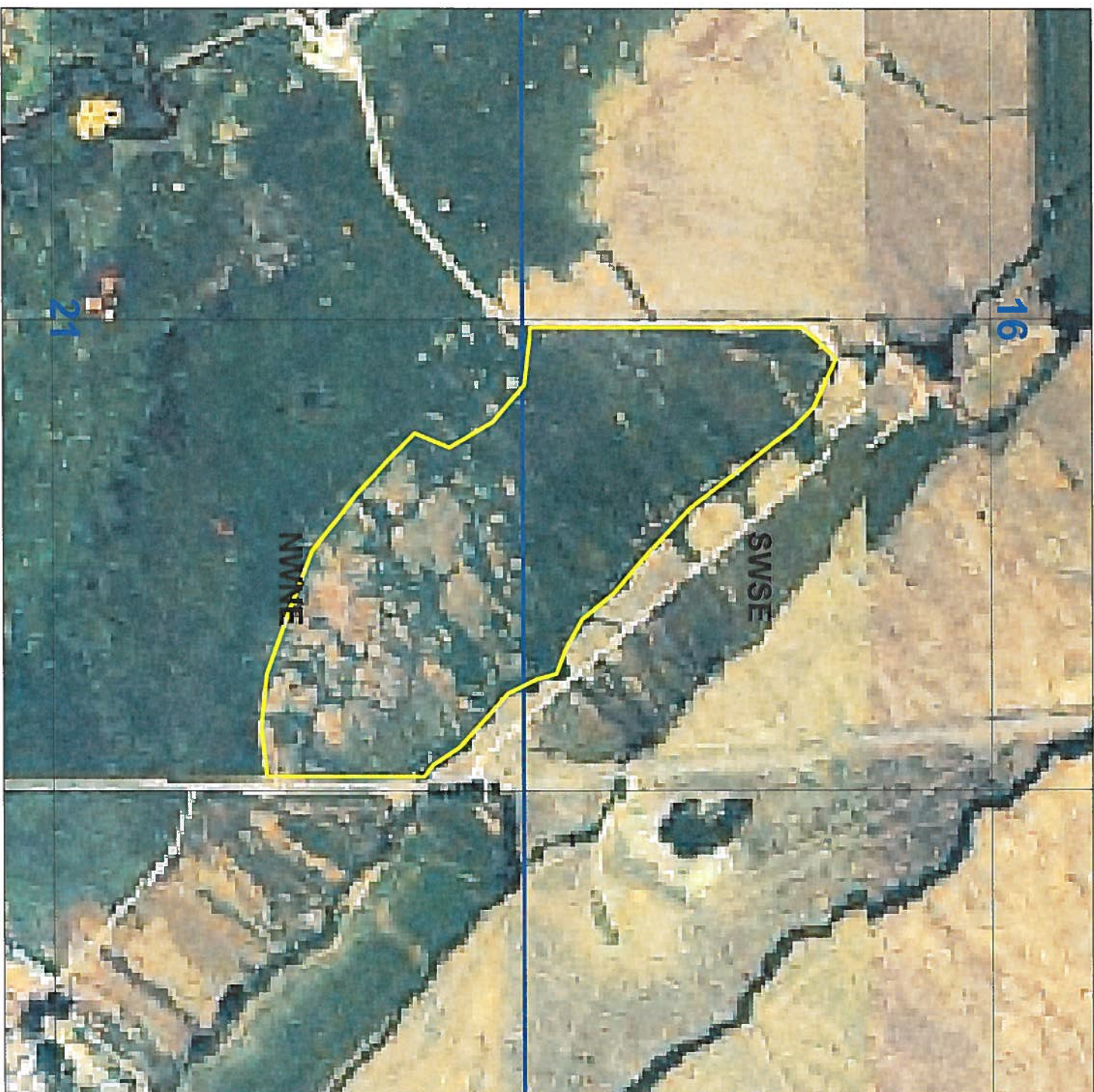


Lemhi, Custer Counties
IDWR Basin 73



Prepared by J. Dean
On Friday, January 12, 2007
1987/88 Aerial Photography

73-12107



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-12107 V1

WATER RIGHT NUMBER: 73-12107 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	F D KEARNS
	, ID
Original Owner	I R WILSON
	, ID
Original Owner	DUANE E MOEN 19 MOEN LN MAY, ID 83253 (208)876-4262
Current Owner	THE NATURE CONSERVANCY 116 1ST AVE N HAILEY, ID 83333-8411 (208)788-8988
Current Owner	THE NATURE CONSERVANCY WESTERN RESOURCE OFFICE 2424 SPRUCE ST STE 100 BOULDER, CO 80302-4617 (303)541-0335

Priority Date: 03/24/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PATTERSON CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

PATTERSON CREEK	NW1/4NE1/4	Sec. 27, Twp 15N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	16															11.0		11.0
15N	21E	21			13.0														13.0

Total Acres: 24

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 73-12107 V1

Conditions of Approval:

1. This right is a split from former right 73-92A.
2. Source is locally known as Spring Creek.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. jdean 1/12/2007 Split

Comment: The recommendation for this claim is a direct reflection of what was recommended for the parent right 73-92A except for acres and diversion rate which was split accordingly.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 73
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/12/2007 10:24:07 AM	jdean			Active
Summary			01/12/2007	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	1/12/2007 10:27:37 AM	jdean	Updated shape
POD	1/12/2007 10:27:56 AM	jdean	Updated PLS
POU	1/12/2007 10:28:50 AM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-12107 V1

Summary	1/12/2007 10:45:27 AM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	1/12/2007 10:24:08 AM	jdean	(No) 1. Do you want to schedule an appointment?
POU	1/12/2007 10:28:37 AM	jdean	Comment for 1: Desk Review Updated shape for Active POU

Water Supply Bank:

01/12/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12108

NAME AND ADDRESS: IDAHO DEPARTMENT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 03/24/1891

POINT OF DIVERSION:

T15N R21E S27 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S21	NENE	12.00	T15N R21E S21	SENE	3.60
T15N R21E S22	SWNW	8.20			

23.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 73-92A.

Source is locally known as Spring Creek.

Idaho Department of Water Resources



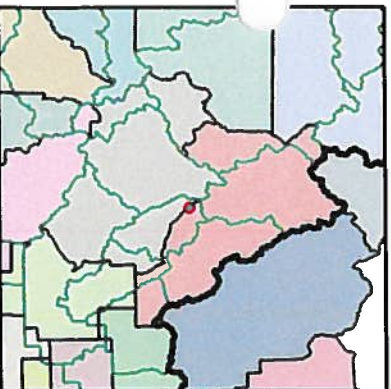
SRBA Recommendation:

73-12108

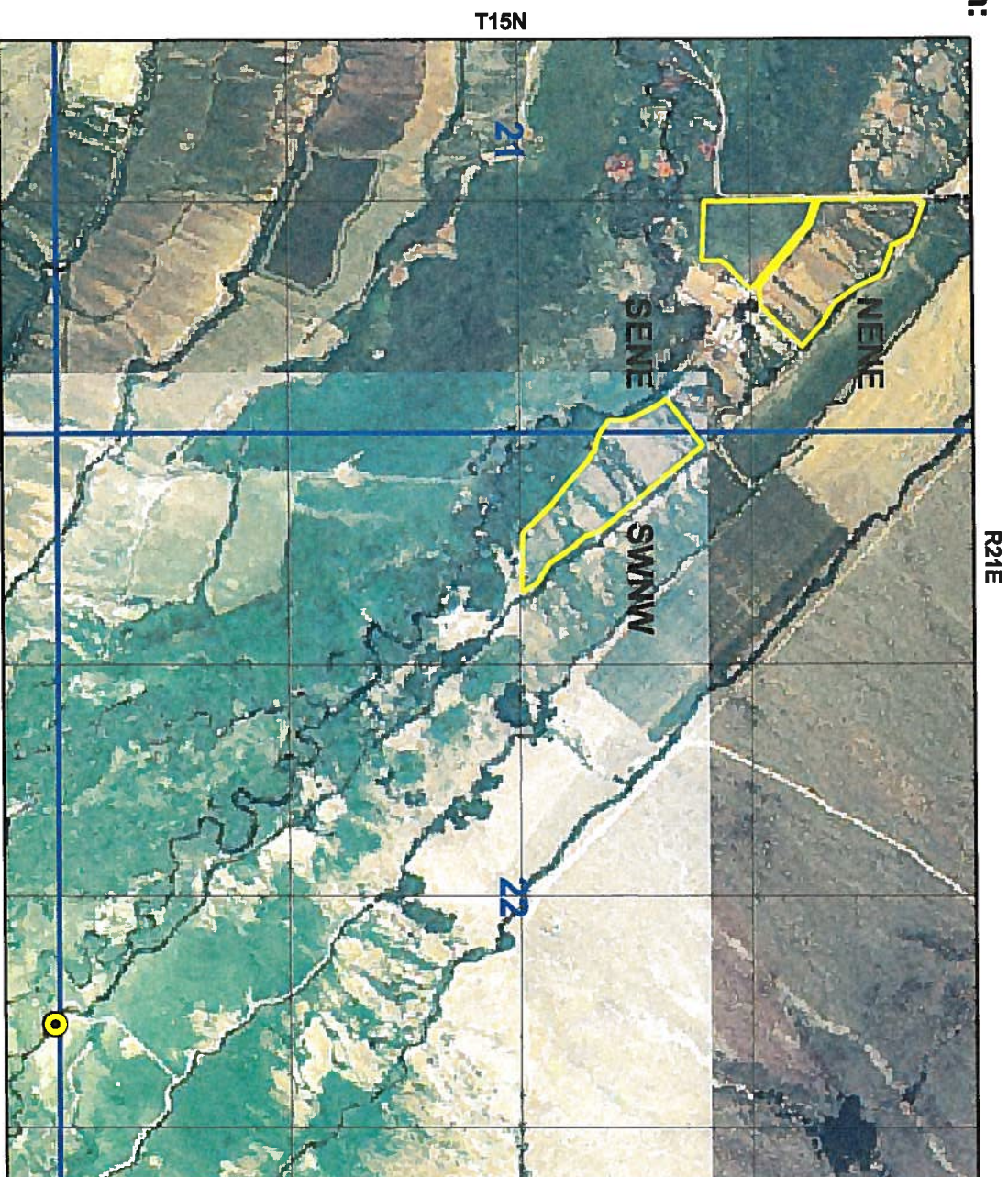
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

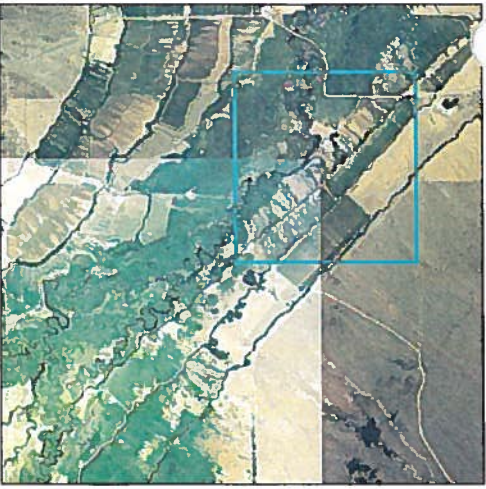


Lemhi, Custer Counties
IDWR Basin 73



Prepared by J. Dean
On Friday, January 12, 2007
1987/88 Aerial Photography

73-12108



Adjudication Recommendation Report 73-12108 V1

WATER RIGHT NUMBER: 73-12108 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	F D KEARNS , ID
Original Owner	I R WILSON , ID
Original Owner	DUANE E MOEN 19 MOEN LN MAY, ID 83253 (208)876-4262
Previous Owner	THE NATURE CONSERVANCY 116 1ST AVE N HAILEY, ID 83333-8411 (208)788-8988
Previous Owner	THE NATURE CONSERVANCY WESTERN RESOURCE OFFICE 2424 SPRUCE ST STE 100 BOULDER, CO 80302-4617 (303)541-0335
Current Owner	IDAHO DEPARTMENT OF FISH & GAME PO BOX 25 BOISE, ID 83707 208-334-3180

Status: Active

<u>Source</u>	<u>Tributary</u>
PATTERSON CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.800 CFS	
	Total Diversion:	0.800 CFS	

<u>Location of Point(s) of Diversion</u>		
PATTERSON CREEK	NW1/4NE1/4	Sec. 27, Twp 15N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 73-12108 V1

15N 21E 22		8.2		8.2
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Total Acres: 23.8

Conditions of Approval:

1. This right is a split from former right 73-92A.
2. Source is locally known as Spring Creek.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. jdean 1/12/2007 Split

Comment: The recommendation for this claim is a direct reflection of what was recommended for the parent right 73-92A except for acres and diversion rate which was split accordingly.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 73
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	1/12/2007 11:01:25 AM	jdean			Active
Summary			01/12/2007	jdean	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	1/12/2007 11:02:12 AM	jdean	Updated shape
POU	1/12/2007 11:03:07 AM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-12108 V1

Summary	1/12/2007 11:05:50 AM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	1/12/2007 11:01:26 AM	jdean	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desk Review
POD	1/12/2007 11:02:21 AM	jdean	Updated PLS
POU	1/12/2007 11:02:55 AM	jdean	Updated shape for Active POU

Water Supply Bank:

Memorandum

To: Roxanne Brown
From: Walt Poole *WTPool*
Date: August 28, 2006
Subject: Water right ownership change

Hi Roxanne:

I have attached the form for a change in water right ownership for water right # 73-92A (the Moen property purchased by The Nature Conservancy) that has been signed by Director Huffaker for the Idaho Fish and Game Commission. As per you phone conversation with me and a note from Katherine Cousins (Panhandle Regional Office of IDFG), I'm sending along an electronic copy of the shape files to help determine the water right appurtenant to our property. We understand that the report will show ownership in the name of The Nature Conservancy, but that the revised water right information will be sent to us when completed. Thanks in advance for you help with this Roxanne.

Walt

01/03/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-92A

NAME AND ADDRESS: DUANE E MOEN
19 MOEN LN
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 03/24/1891

POINT OF DIVERSION:

T15N R21E S27 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R21E S16	SWSE	11.0	T15N R21E S21	NENE	12.0
T15N R21E S21	NWNE	13.0	T15N R21E S21	SENE	3.6
T15N R21E S22	SWNW	8.2			

47.8 ACRES TOTAL

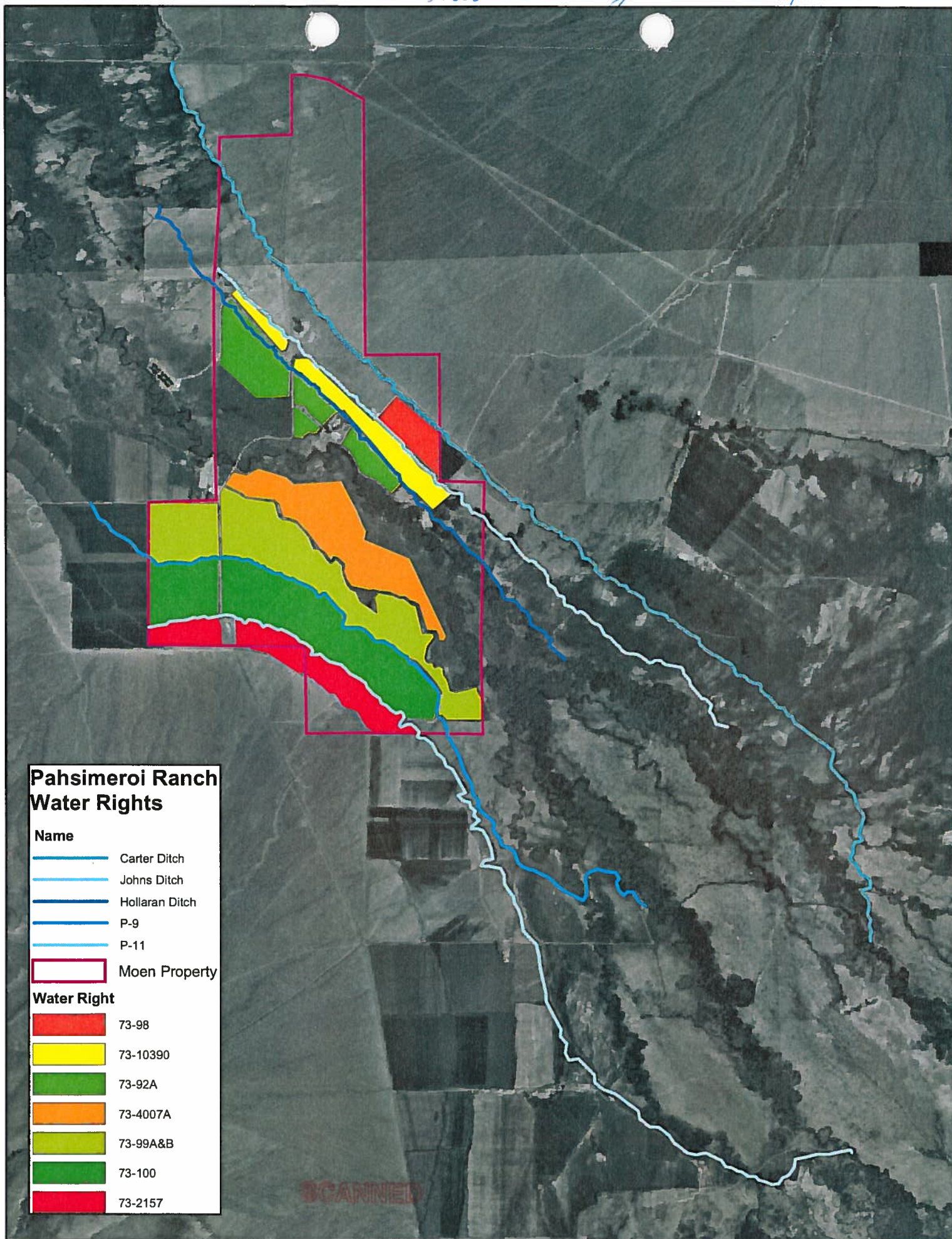
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Source is locally known as Spring Creek.

submitted by TNC 11/18/2004



ESTIMATING CONVEYANCE LOSS

Formula: $S = (W)(i)(0.0667)$ where: S is loss in cfs per mile
 W is the top width of the high water mark in feet
 i is the loss rate in feet per day (see Table)
0.0667 is a factor used to convert to cfs per mile

Table:

Type of soil	Loss rate i (ft/day)
medium clay loam	0.5 to 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 to 2.0
gravel	2.5 to 5.0

Worksheet: $S = (\underline{4.0} \text{ ft})(\underline{2.0} \text{ ft/day})(0.0667)$
 $S = \underline{0.53} \text{ cfs/mi}$
Conveyance loss = $(S)(\text{length of ditch in miles})$
Conveyance loss = $(\underline{0.53} \text{ cfs/mi})(\underline{1.25} \text{ mi})$
Conveyance loss = $\underline{0.667} \text{ cfs}$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>73-92A</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) THE NATURE CONSERVANCY, 116 1ST AVE NORTH
HAILEY ID 83333
4. New Owner/Claimant(s) IDAHO FISH AND GAME COMMISSION
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 25
- City, State and ZIP Code BOISE ID 83707
- New Telephone Number (208) 287-7413
5. Date you acquired the property MAY 17, 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>73-92 A</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Steven M. Huff, Director
(include title if applicable) Idaho Fish and Game

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

ROXANNE BROWN
IDWR
322 E. FRONT ST
P.O. BOX 83720
BOISE ID 83720

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Idaho Fish and Game Commission
600 S. Walnut
Boise, ID 83712

State of Idaho)
County of Lemhi) SS No. **267530**
This instrument was filed for record at the request
of Leanne Title
at 11:58 clock A.M. on 5-24 2006
and duly filmed and indexed in the records of Lemhi
County. Terril J. Moison
Ex-Officio Recorder
By Cynthia Graham Deputy
Fee 9.00
Return to Leanne Title

(Space above line for Recorder's use)

SPECIAL WARRANTY DEED**Upper Salmon - Pahsimeroi (Moen) (Transfer to IDF&G) ID**

FOR VALUE RECEIVED, THE NATURE CONSERVANCY, a District of Columbia non profit corporation, ("Grantor") does hereby grant and warrant against all claiming by, through or under Grantor to the STATE OF IDAHO, by and through the Idaho Fish and Game Commission, whose address is 600 S. Walnut, Boise, ID 83712, ("Grantee") the real property located in Custer and Lemhi Counties, Idaho, and more particularly described on the attached Exhibit A, which is incorporated herein by this reference ("the Property").

TO HAVE AND TO HOLD the Property with all hereditaments and appurtenances thereto, including water rights, unto the Grantee and Grantee's successors and assigns forever;

SUBJECT TO all reservations, restrictions, encumbrances, easements, and other matters of record or that would be disclosed by a survey or physical inspection of the Property, and that certain Lease Agreement dated effective June 9, 2005 between The Nature Conservancy and Glenn and Caryl Elzinga.

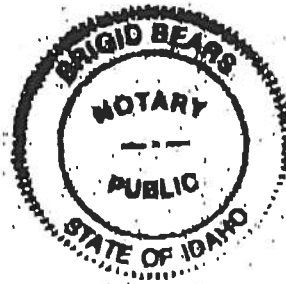
IN WITNESS WHEREOF, the Grantor has executed this instrument on this 17th day of MAY, 2006.

GRANTOR:

THE NATURE CONSERVANCY,
a District of Columbia non profit corporation

By Leanne TitleTitle IDaho STATE DIRECTOR

267530



STATE OF IDAHO)
COUNTY OF BLAINE)SS.

The foregoing instrument was acknowledged before me this 17th day of MAY, 2006
by Lars Hubbard, the State Director IO of The Nature Conservancy, a District
of Columbia non profit corporation.

Brigid Sears
Notary Public
Residing at 310 W. Gay Heile, IO
My commission expires: 1/12/2012

267530

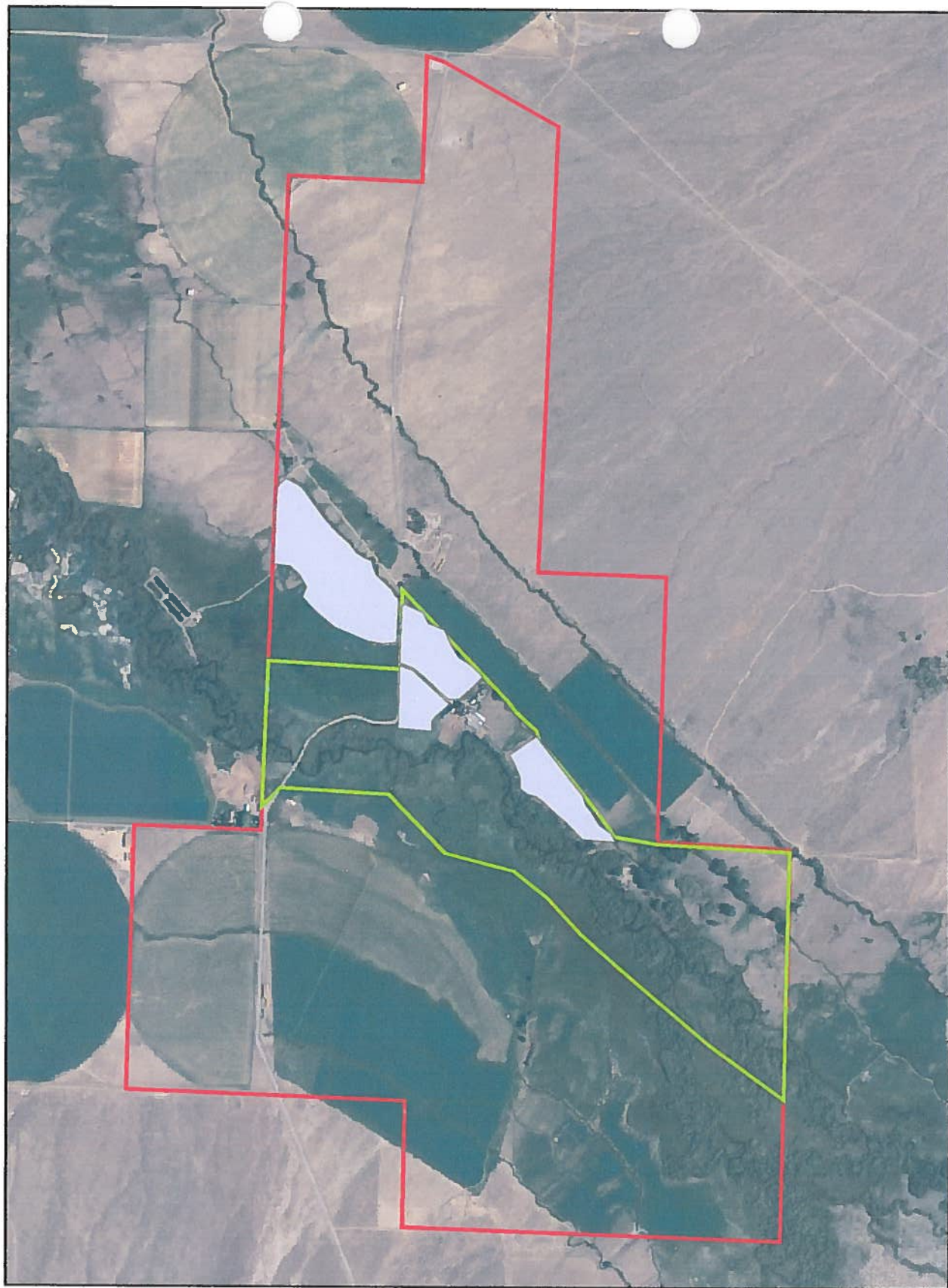
Exhibit A
To Special Warranty Deed
Upper Salmon - Pahsimeroi (Mocn) (Transfer to IDF&G) ID

The Property

A parcel of land located Sections 21 and 22, T. 15 N., R. 21 E., Boise Meridian, Lemhi and Custer Counties, Idaho, more particularly described as follows:

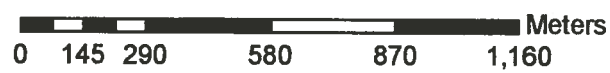
Commencing at the E 1/4 Corner of said Section 16 run thence S 00°05'23"W along the easterly boundary of said section a distance of 2648.93 ft. to the section corner common to Sections 15, 16, 21 and 22, The Basis Of Bearing for this description;
Thence N 89°52'42" E along the northerly boundary of said Section 22 a distance of 1321.40 ft. to the NE Corner of the W1/2NW1/4 of said section;
Thence S 00°03'18" E along the easterly boundary of said W1/2NW1/4 a distance of 2650.49 ft. to the SE Corner of said W1/2NW1/4 to the POINT OF BEGINNING;
Thence N 89°56'45" E along the northerly boundary of the E1/2SW1/4 of said Section 22 a distance of 1322.25 ft. to the NE Corner of said E1/2SW1/4;
Thence S 00°04'24" E along the easterly boundary of said E1/2SW1/4 a distance of 2526.33 ft.;
Thence N 49°19'15" W a distance of 2098.76 ft.;
Thence N 61°12'57" W a distance of 2178.77 ft.;
Thence N 46°21'04" W a distance of 868.33 ft.;
Thence S 88°57'57" W a distance of 1008.52 ft.;
Thence S 29°56'34" W a distance of 322.87 ft. to a point on the westerly boundary of the NE1/4 of said Section 21;
Thence N 00°07'08" W along said boundary a distance of 1523.64 ft.;
Thence S 89°58'42" E a distance of 1303.94 ft.;
Thence N 00°15'27" W a distance of 668.31 ft.;
Thence S 46°58'06" E a distance of 1290.41 ft.;
Thence S 39°50'18" E a distance of 610.58 ft.;
Thence N 39°36'31" E a distance of 123.43 ft.;
Thence S 39°57'05" E a distance of 1471.23 ft.;
Thence S 89°30'39" E a distance of 317.94 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 198.71 ACRES



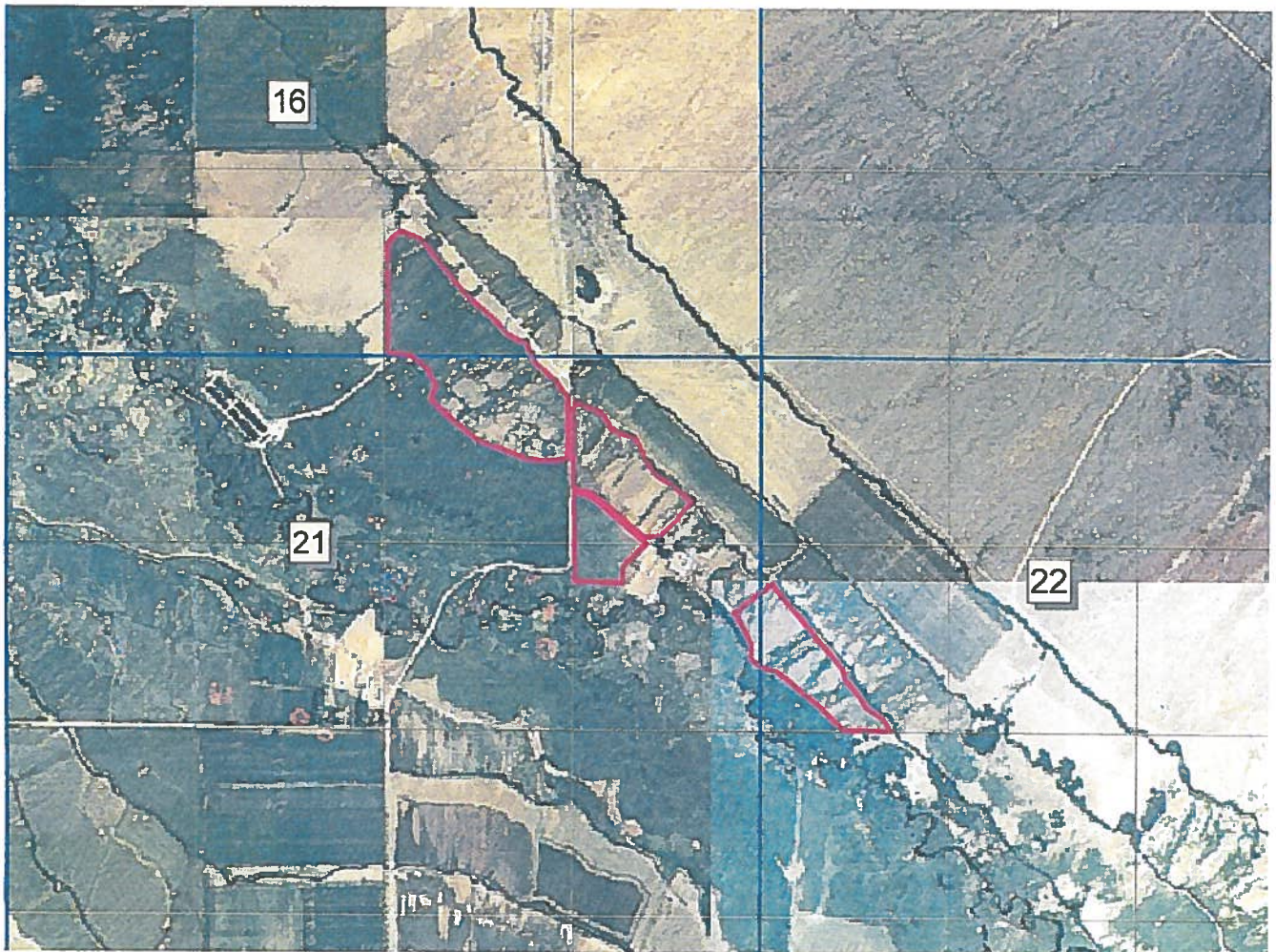
Legend

-  73-92A detailed
-  IDFG
-  Ranchboundaries



Idaho Dept. of Water Resources

Water Right No. 73-92A



0.3 0 0.3 0.6 Miles

 **73-00092A**



GIS Presentation
Prepared by R. Brown
January 3, 2005
1988 True color Photography

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

08/24/2006

WATER RIGHT NO. 73-92A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE NATURE CONSERVANCY WESTERN RESOURCE OFFICE 2424 SPRUCE ST STE 100 BOULDER, CO 80302-4617 (303)541-0335
Current Owner	THE NATURE CONSERVANCY 116 1ST AVE N HAILEY, ID 83333-8411 (208) 536-6797
Original Owner	F D KEARNS
Original Owner	I R WILSON , ID
Original Owner	DUANE E MOEN 19 MOEN LN MAY, ID 83253 (208)876-4262

Priority Date: 03/24/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.6 CFS	

Total Diversion			1.6 CFS	
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Location of Point(s) of Diversion:

SPRING CREEK	NENWNE	Sec. 27	Township 15N	Range 21E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acr
15N	21E	16		SWSE	11									
		21		NENE	15		NWNE	40		SWNE	4		SENE	5
		22		SWNW	5									

Total Acres: 80

Conditions of Approval:

1.	P/D NOT IDENTIFIED IN DECREE.
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Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close



Legal Description of the Pahsimeroi River Wildlife Management Area

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Thence S 88°57'57" W a distance of 1008.52 ft.;

Thence S 29°56'34" W a distance of 322.87 ft. to a point on the westerly boundary of the NE1/4 of said Section 21;

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Thence S 89°58'42" E a distance of 1303.94 ft.;

Thence N 00°15'27" W a distance of 668.31 ft.;

Thence S 46°58'06" E a distance of 1290.41 ft.;

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Thence N 39°36'31" E a distance of 123.43 ft.;

Thence S 39°57'05" E a distance of 1471.23 ft.;

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PARCEL CONTAINS 198.71 ACRES